

REMARKS

Claims 1-16 are pending in the application.

Based on the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 1-6 are allowable, and that claim 15 would be allowable if rewritten in independent form. In view of the traversal of the rejection of claims 12 and 13 (discussed below), from which claim 15 depends, claim 15 is not amended herein.

Rejections under 35 U.S.C. § 103

On page 2 of the Office Action, claims 7-16 were rejected under section 1039a) as being unpatentable over Hashimoto et al. (US 2005/0044133) in view of Toshisada. This rejection is respectfully traversed as being based upon a reference that does not qualify as prior art with respect to the present application.

As shown in the table below, Hashimoto et al. (US 2005/0044133) has an effective date as a reference of February 25, 2005 (because it is based on a PCT application that was not published in English); and its counterpart applications, WO 2003/012562, JP 2003039128, JP 2003122814 have publication dates (their effective dates as a reference) of February 13, 2003, February 12, 2003, and April 25, 2003, respectively.

<i>Publication No.</i>	<i>Application No.</i>	<i>Effective date as reference</i>
US 2005/0044133	US 10/485,324	February 25, 2005
WO 2003/012562	PCT/JP02/04857	February 13, 2003
JP 2003039128	JP 20010227065	February 12, 2003
JP 2003122814	JP20010314230	April 25, 2003

The present application is the U.S. national stage of PCT/JP03/009730, filed July 31, 2003, which claims priority from JP 2002-223353, which was filed July 31, 2002, which is prior to the effective date as a reference of Hashimoto et al., and to the earliest effective date as a reference of any of the counterparts of Hashimoto et al.

In order to perfect the claim to priority of JP 2002-223353, a certified translation is submitted herewith. It is believed that support for the subject matter of claims 7-16 is found in paragraphs [0015], [0016], and [0045] - [0048], and Figures 13-16 of JP 2002-223353.

In view of the foregoing, it is respectfully submitted that neither Hashimoto et al. nor its counterpart applications qualify as prior art against claims 7-16; and that the rejection should be withdrawn.

Conclusion

All objections and rejections have been complied with, properly traversed, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the Examiner is invited to call the undersigned representative so that this case may receive an early Notice of Allowance.

Favorable consideration and allowance are earnestly solicited.

Respectfully submitted,

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Enclosures: Petition for Extension of Time
Information Disclosure Statement (including one Appendix and one prior art
document)
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